

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Retail Access Optimization Initiative

Docket No. N2011-1

PRESIDING OFFICER'S RULING  
CONCERNING A POSTAL SERVICE INSTITUTIONAL WITNESS

(Issued September 1, 2011)

In response to Presiding Officer's Information Request No. 2<sup>1</sup> and other discovery responses, the Postal Service provided institutional responses to discovery requests. POIR No. 2 stated that "to facilitate inclusion of the required material in the evidentiary record, the Postal Service shall have a witness attest to the accuracy of the answers and be prepared to explain, to the extent necessary, the basis for the answers at the hearings." *Id.* at 1. Explanation and clarification of those responses is needed. This will be best accomplished through a Postal Service institutional witness<sup>2</sup> that will be subject to oral cross-examination under Commission rule 30(e)(3). Having a Postal Service institutional witness respond to oral questioning will help the Commission obtain a robust evidentiary record while meeting the expedited procedural schedule in this case.

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<sup>1</sup> Presiding Officer's Information Request No. 2, August 24, 2011 (POIR No. 2).

<sup>2</sup> In lieu of a single witness, the Postal Service may instead provide a set of witnesses who are competent to respond on behalf of the organization in the subject areas discussed below.

Accordingly, at the hearing on September 8, 2011, the Postal Service shall provide an institutional witness or set of witnesses<sup>3</sup> that shall be competent to respond on behalf of the Postal Service to questioning on the following matters:

- The issues raised by POIR No. 2;
- The training of decision makers that the Postal Service undertakes to ensure that it does not close small post offices solely for operating at a deficit;
- Specific changes made to Postal Service procedures, guidelines, manuals, and training, particularly as these changes relate to the Commission's Advisory Opinion issued on March 10, 2010 in Docket No. N2009-1;
- The goals and purposes of the Retail Access Optimization (RAO) Initiative and how the Postal Service will evaluate whether the RAO Initiative has met those goals and purposes;
- Whether and how alternative access will meet the demands for postal services is determined during discontinuance studies;
- How the Postal Service ensures, in the context of the RAO Initiative and discontinuance studies, that it is providing adequate and efficient postal services and ready access to essential postal services;
- Standardization of the discontinuance review process;
- Procedures, guidance, and training provided to ensure that the Universal Service Obligation requirements are maintained; and
- The Postal Service's review and use of demand models, such as the Yezer Model, in the RAO Initiative.

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<sup>3</sup> The testimony of this witness or set of witnesses shall have the same force and effect as a deponent or witness called under Federal Rule of Civil Procedure 30(b)(6).

No later than September 6, 2011, the Postal Service shall designate one or more persons to testify on its behalf and set out the matters on which each person designated will testify at the September 8, 2011 hearing. These persons shall be prepared to testify about information known or reasonably available to the Postal Service.

#### RULING

No later than September 6, 2011, the Postal Service shall designate the individuals serving as an institutional witness or witnesses to testify at the September 8, 2011 hearing as set forth in the body of this Ruling. These individuals shall be in attendance at the September 8, 2011 hearing.

Ruth Y. Goldway  
Presiding Officer